



STAFF REPORT

Report To: Board of Supervisors **Meeting Date:** January 19, 2023

Staff Contact: Heather Ferris, Planning Manager

Agenda Title: For Possible Action: Discussion and possible action regarding a request from Carson City (“Applicant”) to introduce, on first reading, a proposed ordinance amending the zoning map to change the zoning from Public Regional (“PR”) to Residential Office (“RO”) for the parcel located at 775 Fleischmann Way, Assessor’s Parcel Number (“APN”) 001-201-30. (Heather Ferris, hferris@carson.org)

Staff Summary: Through the annual review of the Master Plan and Zoning Map, the Board and staff have identified the subject parcel as appropriate for consideration of a mapping correction. The subject property is zoned PR, but is no longer publicly owned. The proposed amendment will provide better neighborhood compatibility but will result in a non-conforming use for the existing on-site use.

Agenda Action: Ordinance - First Reading **Time Requested:** 10 minutes

Proposed Motion

I move to introduce, on first reading, Bill No. _____.

Board's Strategic Goal

Quality of Life

Previous Action

December 20, 2022 (Item 14D): The Planning Commission recommended approval by a vote of 5 - 0, 2 absent, 0 abstention.

Background/Issues & Analysis

At its meeting of December 15, 2021, the Planning Commission was provided with an update on the Master Plan implementation activities and reviewed and made a recommendation to the Board of Supervisors on the Master Plan Action Plan and other Master Plan related matters. At its meeting of January 20, 2022, the Board of Supervisors accepted the 2021 Master Plan report from the Planning Commission and identified the subject parcel as appropriate for consideration of a mapping correction.

This property was, at one time, owned by Carson City and Carson-Tahoe Hospital, a county hospital of Carson City, and was the site of the hospital. The property is no longer owned by the City and today, the on-site uses include a behavioral health center, continuing care hospital, and outpatient services. Since a public agency no longer owns the parcel, the Public Regional zoning is not appropriate. The subject property is no longer publicly owned.

The recommendation going forward to the Planning Commission was for a zoning of Retail Commercial which would make the zoning consistent with the current use and ownership of the property. Staff recommended

Retail Commercial as it is the least intensive zoning district in which a hospital may be located and is consistent with the current Carson Tahoe Hospital located at the north end of the city. Staff noted that Residential Office zoning would provide better neighborhood compatibility but would result in a non-conformity with the existing on-site use.

At their December 20, 2022 meeting, the Planning Commission did not feel they could make the necessary findings, particularly finding #2, for a zoning of Retail Commercial; however, they were able to make the findings with a zoning of Residential Office because it provides for compatibility with the existing neighborhood.

Refer to the attached Planning Commission staff report and supporting documentation for additional background and analysis.

Applicable Statute, Code, Policy, Rule or Regulation

NRS Chapter 244; Article 2 of the Carson City Charter; and CCMC 18.02.075

Financial Information

Is there a fiscal impact? No

If yes, account name/number:

Is it currently budgeted? No

Explanation of Fiscal Impact:

Alternatives

Do not introduce the ordinance, denying the requested zoning change, and/or provide alternative direction to staff.

Attachments:

[ZA-2022-0501_Ord.-_DRAFT.doc](#)

[14D Staff Report with Supp.pdf](#)

Board Action Taken:

Motion: _____	1) _____	Aye/Nay
	2) _____	_____

(Vote Recorded By)

SUMMARY – Amends the Carson City zoning map.

BILL NO. _____
ORDINANCE NO. 2023-__

AN ORDINANCE RELATING TO ZONING; ESTABLISHING VARIOUS PROVISIONS TO CHANGE THE ZONING FROM PUBLIC REGIONAL (“PR”) TO RESIDENTIAL OFFICE (“RO”) FOR A PARCEL LOCATED AT 775 FLEISCHMANN WAY; ASSESSOR’S PARCEL NUMBER 001-201-30.

The Board of Supervisors of Carson City do ordain:

SECTION I:

An application for a zoning map amendment affecting Assessor's Parcel Number (“APN”) 001-201-30, located at 775 Fleischmann Way, Carson City, Nevada, was duly submitted to the Planning Division of the Carson City Community Development Department in accordance with section 18.02.075 of the Carson City Municipal Code (“CCMC”) to revise the existing zoning designation of APN 001-201-30 from Public Regional (“PR”) to Residential Office (“RO”). After proper noticing in accordance with Chapter 278 of the Nevada Revised Statutes and CCMC Title 18, on December 20, 2022, the Planning Commission, during a public hearing, reviewed the staff report of the Planning Division, received public comment and voted 5 ayes and 0 nay, 2 absent, to recommend to the Board of Supervisors approval of the application for the zoning map amendment.

SECTION II:

The zoning map of Carson City is hereby amended to change the zoning designation from Public Regional (“PR”) to Residential Office (“RO”) for APN 001-201-30, as depicted in Attachment A, based on the findings that the zoning map amendment:

1. Is in substantial compliance with the goals, policies and action programs of the Carson City master plan.
2. Will provide for land uses that are compatible with existing adjacent land uses.
3. Will not have a detrimental impact on other properties within the vicinity.
4. Will not negatively impact existing or planned public services or facilities.
5. Will not adversely impact the health, safety or welfare of the public.
6. Satisfies all other required findings of fact as set forth in CCMC 18.02.075(5).

PROPOSED this _____ day of _____ 2023.

PROPOSED BY Supervisor _____

PASSED on the _____ day of _____ 2023.

VOTE: AYES: _____

NAYS: _____

ABSENT: _____

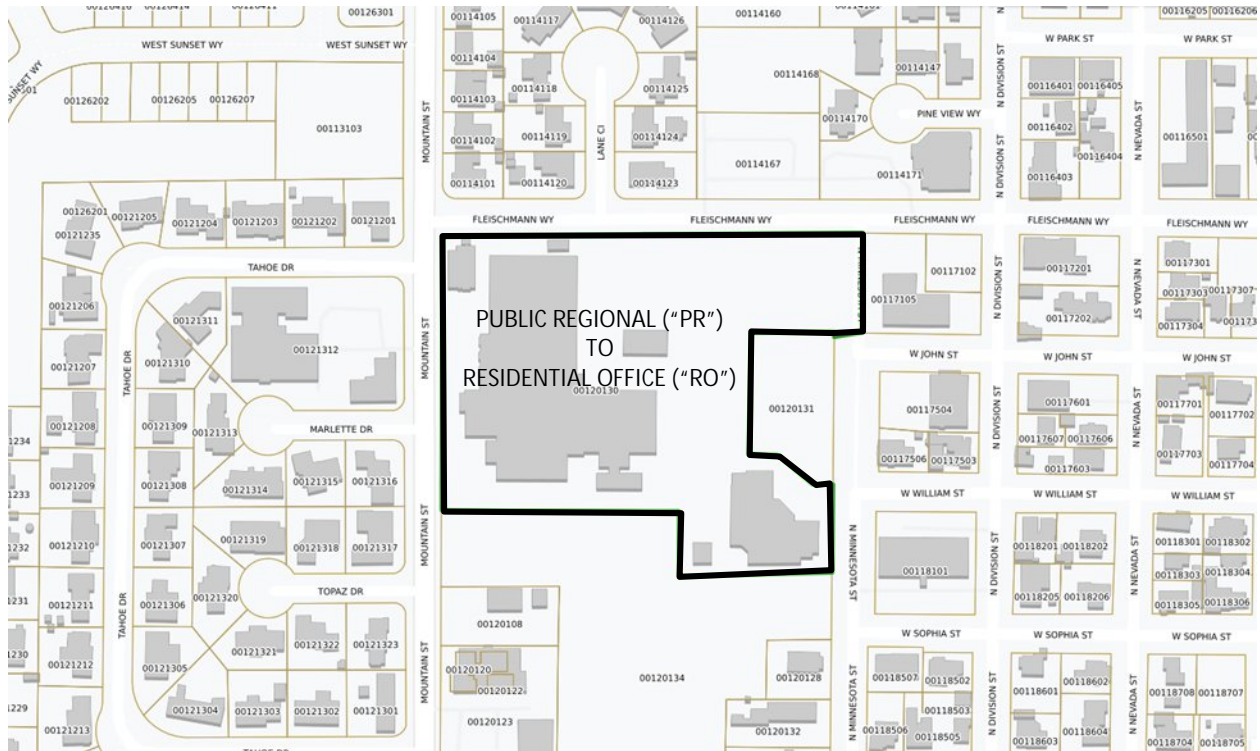
LORI BAGWELL, Mayor

ATTEST:

WILLIAM SCOTT HOEN, Clerk-Recorder

This ordinance shall be in force and effect from and after the ____ of _____,
2023.

Attachment A



STAFF REPORT FOR PLANNING COMMISSION MEETING OF DECEMBER 20, 2022

FILE: ZA-2022-0501

AGENDA ITEM: 14.D

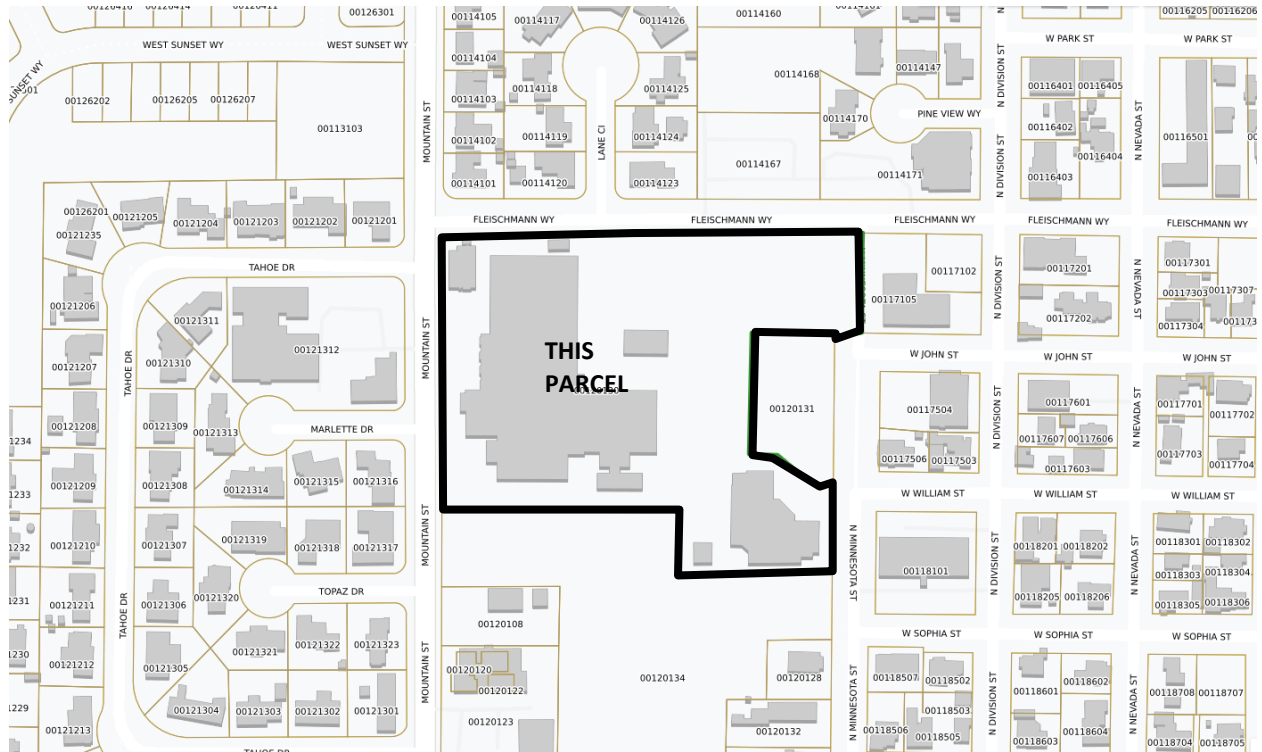
STAFF CONTACT: Heather Ferris, Planning Manager

AGENDA TITLE: For Possible Action: Discussion and possible action regarding a recommendation to the Board of Supervisors (“Board”) concerning a request from Carson City (“Applicant”) for a proposed ordinance amending the zoning map to change the zoning from Public Regional (“PR”) to Retail Commercial (“RC”) for the parcel located at 775 Fleischmann Way, Assessor’s Parcel Number (“APN”) 001-201-30. (Heather Ferris, hferris@carson.org)

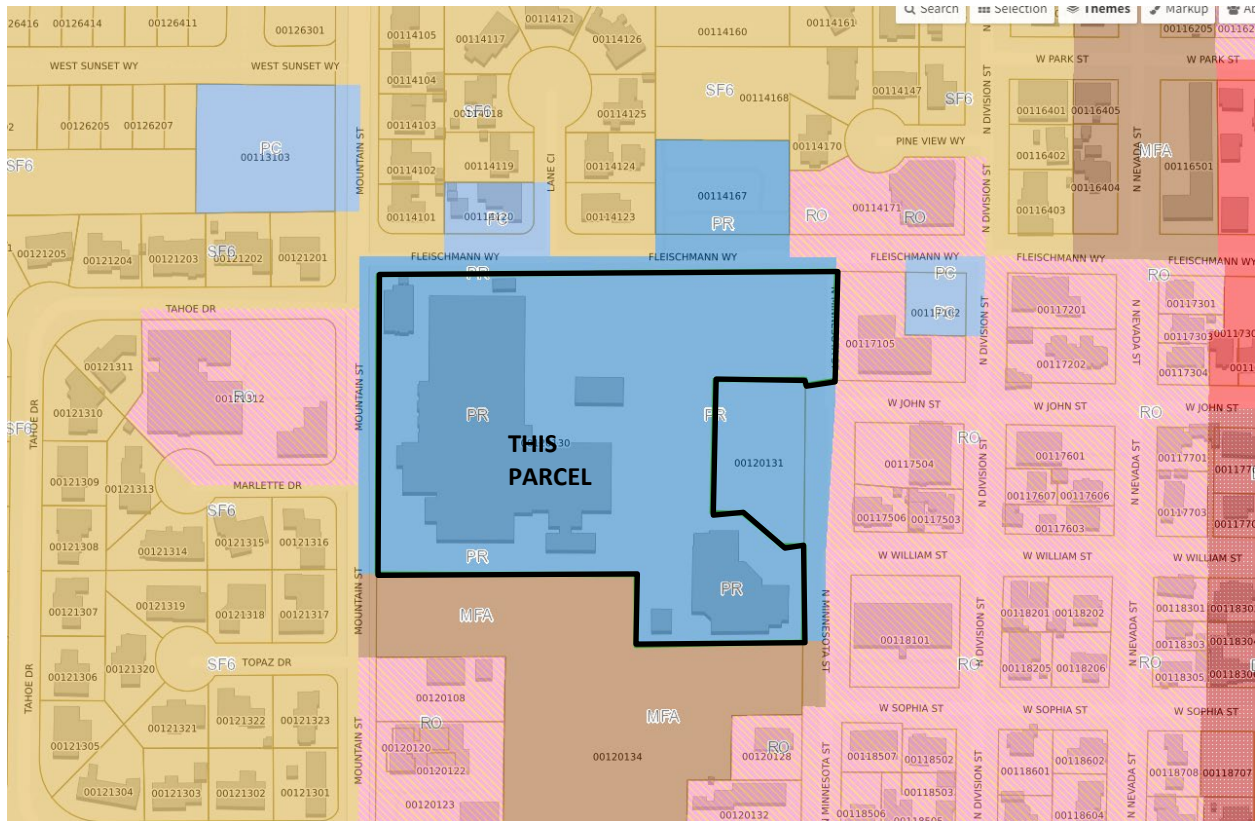
Staff Summary: Through the annual review of the Master Plan and Zoning Map, the Board and staff have identified the subject parcel as appropriate for consideration of a mapping correction. The subject property is zoned PR, but is no longer publicly owned. The proposed amendment will be consistent with the current use and ownership of the property.

RECOMMENDED MOTION: “I move to recommend to the Board of Supervisors approval of the zoning map amendment ZA-2022-0501 as presented.”

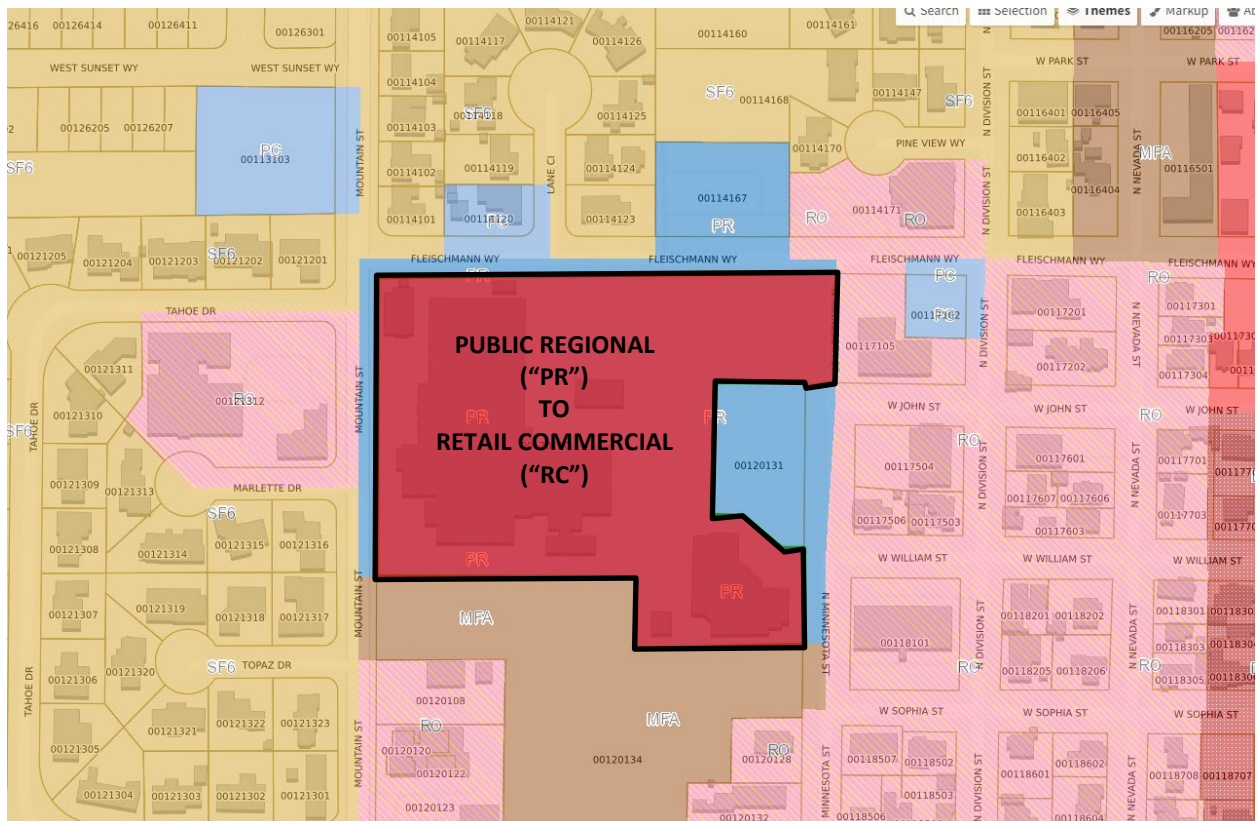
VICINITY MAP:



EXISTING ZONING



PROPOSED ZONING



LEGAL REQUIREMENTS: Carson City Municipal Code (“CCMC”) 18.02.050 (Review); (Zoning Map Amendments and Zoning Code Amendments)

EXISTING MASTER PLAN DESIGNATION: Mixed-Use Residential (“MUR”)

EXISTING ZONING: Public Regional (“PR”)

PROPOSED ZONING: Retail Commercial (“RC”)

SURROUNDING ZONING AND LAND USE INFORMATION:

NORTH: Single-Family 6,000; Public Community; Public Regional; & Residential Office / single family residences; parking lot; medical offices

SOUTH: Multi-Family Apartment/ congregate care facility

EAST: Public Regional & Residential Office / public park; medical offices; single-family residence; & business offices

WEST: Single-Family 6,000 & Residential Office / single-family residences & medical offices.

BACKGROUND AND DISCUSSION:

At its meeting of December 15, 2021, the Planning Commission was provided with an update on the Master Plan implementation activities and reviewed and made a recommendation to the Board of Supervisors on the Master Plan Action Plan and other Master Plan related matters. At its meeting of January 20, 2022, the Board of Supervisors accepted the 2021 Master Plan report from the Planning Commission and identified the subject parcel as appropriate for consideration of a mapping correction.

This property was, at one time, owned by Carson City and Carson-Tahoe Hospital, a county hospital of Carson City, and was the site of the hospital. The property is no longer owned by the City and today, the on-site uses include a behavioral health center, continuing care hospital, and outpatient services. Since a public agency no longer owns the parcel, the Public Regional zoning is not appropriate. The subject property is no longer publicly owned. The proposed amendment will be consistent with the current use and ownership of the property. Staff is recommending Retail Commercial zoning because it is the least intensive zoning district in which a hospital may be located and is consistent with Carson Tahoe Hospital located at the north end of the city. Staff would note that Residential Office zoning would provide better neighborhood compatibility but would result in a non-conformity with the existing on-site use.

The Planning Commission makes a recommendation to the Board of Supervisors.

PUBLIC COMMENTS: A courtesy notice was mailed to the property owner on November 9, 2022. On December 06, 2022, public hearing notices were mailed to 141 property owners within 600 feet of the subject property in accordance with the provisions of NRS and CCMC 18.02.045. At the time of the writing of this report staff has not received any public comment. Any comments that are received after this report is completed will be provided to the Planning Commission either prior to or at the December 20, 2022 meeting depending on their submittal date to the Planning Division.

OTHER CITY DEPARTMENT OR OUTSIDE AGENCY COMMENTS:

The requests were routed to other departments for review and comment. All indicated they had no comments or concerns with the proposed amendment.

FINDINGS: Staff recommends the following findings for approval of the Zoning Map Amendment pursuant to CCMC 18.02.075, Zoning Map Amendments and Zoning Code Amendments.

1. That the proposed amendment is in substantial compliance with and supports the goals and policies of the master plan.

The proposed amendment is consistent with the Master Plan. Chapter 3 of the Master Plan identifies the land use designations and identifies what zoning districts corresponds to the land use designation.

The Mixed-Use Residential (“MUR”) master plan designation is intended to promote self-supporting neighborhood which contain a mix of housing types and densities but that also include retail, offices and live-work units. The primary uses are anticipated to be a mix of residential housing types, with retail services, office, and health services being anticipated secondary uses in the MUR designation. This property was, at one time, owned by Carson City and was the site of the hospital. The property is no longer owned by the City and today, the on-site uses include a behavioral health center, continuing care hospital, and outpatient services. Since a public agency no longer owns the parcel, the Public Regional zoning is not appropriate. The proposed zoning map amendment will create consistency with the use of the land, the master plan designation, and the ownership.

2. That the proposed amendment will provide for land uses compatible with existing adjacent land uses and will not have detrimental impacts to other properties in the vicinity.

The proposed amendment will create consistency with the actual use of the land, the master plan designation, and the ownership. The on-site uses include a privately owned and operated behavior health center, continuing care hospital, and outpatient services. There are no proposed modifications to the existing use of the subject parcel. Staff is recommending Retail Commercial zoning because it is the least intensive zoning district in which a hospital may be located and is consistent with Carson Tahoe Hospital located at the north end of the city.

3. That the proposed amendment will not negatively impact existing or planned public services or facilities and will not adversely impact the public health, safety and welfare.

The proposed zoning map amendment will not negatively impact existing or planned public services or facilities and will not adversely impact the public health, safety and welfare. The subject parcels have been developed with a health center, continuing care hospital, and outpatient services. There are no proposed modifications to the existing use of the property.

Attachments:

Draft zoning map amendment ordinance

SUMMARY – Amends the Carson City zoning map.

BILL NO. _____
ORDINANCE NO. 2023-__

AN ORDINANCE RELATING TO ZONING; ESTABLISHING VARIOUS PROVISIONS TO CHANGE THE ZONING FROM PUBLIC REGIONAL (“PR”) TO RETAIL COMMERCIAL (“RC”) FOR A PARCEL LOCATED AT 775 FLEISCHMANN WAY; APN 001-201-30.

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SECTION II:

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2. Will provide for land uses that are compatible with existing adjacent land uses.
3. Will not have a detrimental impact on other properties within the vicinity.
4. Will not negatively impact existing or planned public services or facilities.
5. Will not adversely impact the health, safety or welfare of the public.
6. Satisfies all other required findings of fact as set forth in CCMC 18.02.075(5).

PROPOSED this ____ day of _____ 2023.

PROPOSED BY Supervisor _____

PASSED on the ____ day of _____ 2023.

VOTE: AYES: _____

NAYS: _____

ABSENT: _____

LORI BAGWELL, Mayor

ATTEST:

, Clerk-Recorder

This ordinance shall be in force and effect from and after the ____ of _____, 2023.

ZA-2022-0501

Zoning change for 775 Fleischman Way (ARHC CTCRCNV001 LLC):

I am opposed to Retail Commercial Zoning in this predominantly single-family residential area. There is no reason for a zoning change as the current use of the property is the same as it's been for several years. Why change it now?

I've had previous history with dealing with this property owner and regardless of what they say they are not good neighbors to this neighborhood. It took me over 2 1/2 years to get them to resolve the special use violation regarding sound violation. Thankfully it seems to be resolved now after losing three summers of peaceful enjoyment of my property.

Retail Commercial Zoning opens the door for a variety of businesses that are not compatible for a residential neighborhood. There is no doubt that the property owners at 775 Fleischmann Way will take full advantage of establishing businesses that fall under the umbrella of Retail Commercial but are in no way compatible with this residential neighborhood. This type of zoning has too many underlying problems. There are many areas in the city that are already zoned for retail commercial, as an example, the Kmart building. Perhaps the property owners should look at areas that's already zoned retail commercial. This zoning should remain Public Regional.

Thank You,
Edward Barrington
700 Fleischmann Way, Carson City, NV 89703

RECEIVED

DEC 19 2022

**CARSON CITY
PLANNING DIVISION**